

# DOCUMENT RESUME

ED 056 481

EM 009 336

TITLE Cable TV; Protecting Its Future in Education.  
 INSTITUTION Association for Supervision and Curriculum Development, Washington, D.C.  
 PUB DATE Nov 71  
 NOTE 8p.; Interpretations, An Occasional Paper  
 AVAILABLE FROM Association for Supervision and Curriculum Development, NEA, 1201 Sixteenth Street, N.W., Washington, D.C. 20036 (single copies free for self-addressed, stamped envelope)

EDRS PRICE MF-\$0.65 HC-\$3.29  
 DESCRIPTORS \*Cable Television; Community Services; \*Educational Planning; Educational Policy; \*Federal Legislation; Local Government; \*School Community Relationship  
 IDENTIFIERS CATV; FCC; Federal Communications Commission

## ABSTRACT

New developments on the technical aspects of cable television, coupled with the proposed Federal Communications Commission (FCC) rules and regulations governing the medium and the possibility of Congressional action in the field have set the stage for 1971 to become a pivotal year for cable television in education. The number of channels that can be built into a cable system is going up; the cost of added channels or such features as two-way communications runs in nothing like a straight-line equation; the prospects of profitable cable operations are high. At the national level, the Joint Council on Educational Telecommunications and PubliCable are among the educational agencies attempting to influence the FCC and Congress to set basic requirements for educational channels for every cable system in the country. On the local scene, many communities are framing the basic ordinances which will govern cable television in their jurisdiction. Educators must be prepared to work with both the city fathers and the cable franchise holders in establishing a place for education in the cable television policy of the area. In areas where a franchise has already been granted there still exists the possibility for educators to obtain use of "non-standard" channels or to secure a review and revision of a franchise. (JY)

# interpretations

Published  
by the  
Association  
for Supervision  
and Curriculum  
Development, NEA

NOVEMBER 1971

1201 Sixteenth Street, N.W., Washington, D. C. 20036

## CABLE TV — Protecting Its Future In Education

This is the year!

Everything is happening at once. On the technical side the possibilities of cable television are snowballing up so fast that an unprecedented resource is just around the corner—a resource that will be different in kind from anything we have ever had, and probably reasonable in cost. On the political side a great national struggle of interests is rising to its crisis. The Federal Communications Commission has just issued a set of proposed rules and regulations which, if put in force, may set the framework for years to come, and the Congress may very possibly get into the act. In municipalities across the land—where the immediate action is—ordinances are being drawn up and franchises are being awarded that can open up a world for us in education, or shut us out.

*Interpretations* is a recently authorized experimental line of communication for ASCD members on educational developments of special interest. This issue is devoted to a discussion of Cable TV—an example of what might be called a significant educational issue of tomorrow which must have attention today. This analysis was prepared by ASCD Senior Associate Fred T. Wilhelms, with the valuable assistance of Harold E. Wigren, Educational TV Consultant and Associate Director of the Division of Educational Technology, NEA, who served on ASCD's Commission on Educational Media.

Dr. Wilhelms has succeeded in presenting a highly complicated situation in language we can all understand. His interpretation gives us an unusually clear and vivid description of the technical, legal, political, and educational dimensions of the issue. Further, he includes suggestions for action at all levels that are immediately useful. Characteristically, he has "humanized" what would appear to be a very cold subject indeed.

The potential of Cable TV for instructional improvement in the future is enormous. Yet, as pointed out here, this potential may never be fully realized unless educators and others are aware of the importance of the fast-moving developments currently under way. For this reason, ASCD offers this report as a service to its members.

Neil P. Atkins  
Executive Secretary, ASCD

U.S. DEPARTMENT OF HEALTH,  
EDUCATION & WELFARE  
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It is one of those pivotal times. Right now concerted forethought and political action may be enough to safeguard room for the future. Even a year or two from now, once the critical decision points have been passed, it may be almost impossible to salvage what we need. Even those of us who normally look down our noses at hardware and "gadgets" had better be getting into the arena and mobilizing.

It is the deliberate purpose of this paper to sound an alert and push for a mobilization. We are purposely "pulling out all the stops," to make the call for action as powerful as we know how.

*Why?*

Well, suppose that all of a sudden you no longer had to think of educational TV in its traditional one-or-two-channel, one-or-two-programs-at-a-time, rigidly-scheduled format. Suppose you had enough "room" among the channels so that you could loosen up and do what you wanted to do. Let's say you'd have the facilities necessary to go on with the formal instructional programs (ITV) you're already familiar with, but that you could also broaden them to include high school equivalency or even college equivalency courses for the public, with multiple program choices available at any one time (probably with some of the courses eventually coming down off satellites out in space). Suppose you had enough channels so that you could offer several subjects at once, and repeat programs to get away from the rigidities of one-time scheduling. Then suppose, still further, that you could add two-way communication into the instructional mix, and thus get closer to teaching that operates *with feedback*. Wouldn't that alter your feelings about instructional TV?

But that isn't the whole story. Suppose you could go on beyond formal instruction—no matter how rich that instructional program might be. This is where the difference in kind opens up. Try to visualize a system resourceful enough so that you could open up opportunities for students to do their various things, in communication with each other—so that your art groups, your music groups, your public-discussion groups, etc., could get right to one another and to the public. Then you could offer minority groups—and all kinds of special interest groups—a medium for their message and a means of

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communicating with each other. You could open up public discussion of every sort, including the kind many school people would like to hold with their public. The "town meeting of the air"—including the *school board* meeting of the air—could be a reality.

Now add another layer, going beyond your students. Suppose all of you on the faculty—classroom teachers, supervisors, administrators, psychologists, everybody—could have access to a new richness of opportunities for professional growth, maybe at school, maybe in the comfort of your home. Don't limit your thinking purely to the more or less formal instruction we generally think of as in-service education. The professional growth opportunities could go well beyond that sort of formal instruction to give all your professional groups opportunities for creative interaction among your own resources. If some faculty group in your system has developed an outstanding program—or is wrestling with a tough problem—the rest of you could be in on it, in two-way communication.

Furthermore, as you think of any part of this, remember that you could choose whether to open it up to the community as a whole, or to the community in one part of town, or to pinpoint exactly the audience you want. When you needed to deal with sensitive professional matters in school circles only, you could do that; but if you judged that some of your in-service activities would be valuable to parents—or if you wanted their help—you could bid for their attention, too.

### And Furthermore

Now add a few miscellaneous "supposes." Suppose, for instance, that

- You could reach homebound or hospitalized students with selected programs.
- You could have one set of programs at one school or cluster of schools and other sets for other schools.
- You could service computer terminals at school or at home.
- You could manage almost instantaneous opinion polls (again, with the general public or with some pin-pointed group).

There is really no need for all this "supposing." *So far as the technology is concerned*, everything suggested so far—and a lot more—will soon be completely practicable. We shall have problems with people, with government regulations, with vested interests, and all that. But *technology is not the problem*. Furthermore, although we cannot be sure of exact costs at this time, it does not look as if the cost will be prohibitive. That, once more, is what we mean when we say that the new resources can be "different in kind" from anything we have ever had. We are all so accustomed to the bare rigidities of a series of *presentations* run off like so many movies in a string that it is hard to conceptualize what could evolve in a looser, less formal "economy of abundance." But, even if it means "dreaming a little," that sort of conceptualizing is what we must do now, if we are to protect the future.

### The Exploding Technology

However, before we let our imaginations run further, we need to review a few of the facts. CATV (the *CA* used to stand for "community antenna"; now it is often translated as "cable"; it is about time for a new set of initials, to stand for "cable communications") got its start as a way of importing distant signals into communities that could not pick up the programs satisfactorily over ordinary antennae. Generally some entrepreneur would build whatever tower he needed on a handy high spot to catch the signals; then he would string a coaxial cable down into the community and contract, at so much per month, to deliver the programs to each subscriber's TV set. To do this, of course, he had to get a franchise from the community, if only because he had to lay his cables in its streets and alleys or hang them on poles.

Such service generally went to fairly small population centers remote from TV stations or cut off by mountains. The system was rather simple. Its only function was to catch those standard broadcast programs and deliver them to the consumers. Some of the older systems did not even cover all the major channels; there were low-band systems that reached only from channel 2 to channel 6.

But big-city TV sets have their troubles with broadcast signals, too. The steel and concrete canyons of Manhattan can be about as bad a nuisance as the mountains around "North Thickly-Settled," Vermont. And so subscriber services began springing up in places that were not remote or small at all, areas where subscribers could be had by the thousand.

At this point CATV began to be big business, potentially at least. It could bring in distant programs that ordinary sets could not catch at all, or it could improve their reception. It could bring in nearby materials relatively free of interference and ghosts. Even in communities that already enjoyed fairly good programming it could, if the regulations permitted, import added offerings from elsewhere and enrich the viewers' choices. The systems grew more complex, to cover the broadcast spectrum. Twelve-channel systems became common. Furthermore, the technical resources were by no means limited to picking up broadcast materials. The managers could buy, rent, or produce tapes and films and feed them into the cable. Or they could add production studios and originate their own "live" programs. Little by little these added possibilities are becoming the major attribute of CATV. For the future—especially for education's purposes—the importing of distant signals will take second place to local origination.

Already in the earlier stages, in the simpler, small-community systems, it was not uncommon for schools to be wired into the cable. A cooperative cable owner who valued the good will of the school and community might have a channel or two left over, above his strictly commercial needs. He might simply lend them to the schools or supply them at low cost, at least to those schools that were close to his cable. All kinds of mutually cooperative arrangements sprang up; the schools, for instance, might buy the necessary production equipment and even provide the studio space, for shared use in originating programs. But, generally, this sort of thing depended upon mutual good will and negotiations with the CATV operator; no prior requirements had been set in the franchise.

More recently the National Cable Television Association, CATV's trade association, has announced its intention to support in principle the provision of one or more standard or non-standard channels to educational institutions. But two points must be remembered in this connection: First, trade association principles are something less than binding upon members. Though it is pleasing to know of the association's willingness to work with education, not every local operator agrees. Second, and more important, even if the operator does provide one or two free channels, that still leaves us in the old, limited system, frozen into so few channels that we can only go on with the old, stereotyped programming.

And that may be precisely where we shall wind up if the Federal Communications Commission has its way. In August 1971, Chairman Burch of the FCC sent to the Congressional Subcommittee on Communications a lengthy description of the Commission's proposed rules and regulations. Among other things, he wrote:

Accordingly, we will require that there be one free, dedicated, non-commercial public access channel available at all times on a non-discriminatory basis. In addition, we will require that one channel be set aside for educational use and one channel for state and local government use on a developmental basis and that, upon completion of the basic trunk line, for the first five years thereafter these two channels will be made available free.

At a later point he wrote:

Similarly, aside from channels for government uses, we do not believe that local entities should be permitted to require that other channels be assigned for particular uses.

In the memo as a whole, there is reference to the possibility of special petitions for better educational facilities in a given system, as well as provision for growth in the system on the basis of experience. Furthermore, there is nothing to prevent the schools' *leasing* additional channels. Nevertheless, it is pretty clear that where education is concerned the Commission is still stuck on the old "one or two channels" theme. While it may be a relief to have the FCC require even one free channel, the system thus provided would be so skimpy that it has almost nothing in common with what is technically possible.

## The Strategic Elements

Now we come to three very fundamental facts:

1. Because of technical developments the number of channels that can be built into a CATV system is going up. Twenty channels are already completely practicable; in fact, most recent systems are on that base and the FCC proposals will require all systems to have at least this much potential capacity. There is firm expectation that forty will be equally practicable in a very short time. In fact, one 64-channel urban system is under construction. Beyond that, there is even speculative talk of systems that could run into the hundreds of channels. This is what makes the FCC proposal of *one* channel so manifestly absurd.

Obviously, these figures swiftly run past what is needed for the old function of taking standard broadcast materials off the air. There can be plenty of "room" left for public and

educational uses. But we had better remember that commercial firms have to keep their eye on profits, and they won't necessarily build the more complex and expensive system unless somebody bargains with them. We must remember, too, that a surprising number of commercial uses may soon evolve, such as leasing channels to handle business communications and computer data; these are uses which hold the promise of being extremely profitable. It is impossible to predict accurately how such uses may multiply, but at least we cannot take for granted that channels will just be there waiting for public and educational use.

2. The cost of installing added channels and other features such as two-way communications runs in nothing like a straight-line equation. The big capital outlay in a CATV system—and it *is* big!—centers on the initial cost of the "head-end" facilities, the cost of forming and laying the cable itself, and the cost of the "drops" into homes, schools, etc. Some of these costs rise as a system grows more elaborate; others do not. Thus the cost of the cable itself will rise as more is loaded into it, but the cost of putting it in place may not change materially.

But much of this is true only if the system is "built right" in the first place, with enough channel capacity for future uses. Going back to improve it later can be very expensive. That is one reason why the subtitle of this paper contains the words "protecting its future."

3. The prospects of profitable CATV operation are high. Already there are some 6 million receivers on cable. There are estimates that by 1975 some 25 percent of American TV sets will be on it. And from that point forward predictions run to 50 or 60 or even 80 percent by the end of the decade. At, say, \$5.00 or \$6.00 a month, that runs into money! Add the possibility of built-in "pay TV" depending on "scramblers" for special events like championship boxing matches and you come at figures to make a financier's mouth water. One writer even talks of 650 percent profit.

We don't mean that the prospects are *all* that rosy. There appear to be some rocks in the road, too. Even if the business is going to be very profitable in the long run the immediate prospect may be one of high expenditures and uncertain returns. Still, the moral of this story is that something of enormous potential value is on the auction block and *before they get that franchise* the bidders may be willing to go pretty high. It is time to stop depending on "gentlemen's agreements" and to go for contracts that protect the public and the schools.

## Guiding the Negotiations

So far, it appears that municipal or county councils, if they bargain carefully at all, have thought chiefly of cash payments and revenues into the municipal treasury. We shall all be better off in the long run if educators and other public groups teach them to think also in terms of public and educational services to be provided for the life of the franchise. For us in the schools that ought to be the heart of the bargaining.

Of course, we shall have to face up to the question of whether such services must always be provided free of charge



by the CATV operators. Especially in the smaller situations their financial resources may not be so splendid that they can support everything that is needed—particularly if we demand that they do it all right away. Anyway, we see no reason why the schools should not invest reasonable amounts in their part of the system.

However, we must face the fact that the *programming* costs of a really rich educational program will be very considerable. The schools will inevitably be putting substantial funds into them—and in the process they will be building up audiences for the operator. If we need him, he also needs us. Besides, the cold fact is that he is asking for a monopoly on something that belongs to the public, and he had better expect to make genuine, responsible returns to that public.

Over time, a great variety of arrangements will probably emerge, including nonprofit ownership of some systems. The NEA urges "that the Commission encourage the development of public cable corporations in local communities as one feasible ownership pattern; that such corporations be operated by nonprofit applicants similar to a port or power authority and that a diversity of voices are preserved in the non-commercial CATV field." Regardless of who pays the bills, the basic point remains valid: If a truly complete system is built at the outset the add-on costs above what would be needed for a bare commercial operation will be a modest fraction of the whole cost. The main thing is to protect the future so that we can ride up with the advances that are bound to come.

So much for introductory review. Now we are ready for the hard specifics of here and now, and the question of what we can do. Here the questions deal less with technology and more with public opinion and politics.

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## AT THE NATIONAL LEVEL

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One would have to be pretty naive not to guess that in Washington this is a period of agitated lobbying and pressure tactics. The broadcasting companies feel threatened and naturally mean to protect themselves. There are genuine problems here, real questions of equity. For instance, a small-city broadcast station with no great wealth of programming resources might well see its market jeopardized if a local CATV operator were free to import the pick of the programs from outside and offer his viewers superior choices. Fine for the viewers, but rough on the broadcast station!

The copyright laws, themselves the center of swirling controversy for several years, are involved, too. One can hardly rule that CATV operators have a God-given right to make money by picking off the air programs somebody else has produced at great cost. Then there are the plain, ordinary considerations of competitive advantage. The great broadcast chains may have no inordinate fear of losing their viewers to our homemade educational efforts; but if and when community CATV gets into exciting issues of public policy, with minority groups and special-interest groups tailoring programs for special audiences, the whole shape of the TV market may be altered considerably.

It is not even too farfetched to look ahead to a regionally or nationally linked CATV system. With the huge revenues

such a system would have from subscribers, it might even be able to outbid commercial sponsors and the broadcast systems with the football leagues and the World Series. (Then a tough related question will arise: Who will serve the rural areas to which the operators may not be able to afford to string cables, as well as the poor who cannot afford a subscription?)

These are only a few of the hard, complicated questions. The proposals which the FCC has released contain a good many compromises in an effort to balance the competing interests as well as possible. Ultimately the Congress will probably frame some broad policies. The fight is on. In the deeper view, of course, the ultimate goal has to be the best possible service of consumers, rather than the protection of vested commercial interests—but even *that* isn't all that simple!

Part of the struggle is that the FCC is itself engaged in a push for regulatory authority. It does have behind it a 1968 Supreme Court decision that affirmed the Commission's authority to regulate the CATV industry. But there is still quite a mix of federal, state, and local regulation, and the edges of the Commission's authority are not wholly clear. Thus, early in 1971, it issued a requirement that all CATV systems serving 3,500 or more subscribers include a significant amount of locally originated programming; that requirement has since fallen before a lower court decision.

If the Commission has sufficient authority—and if the Congress does not countermand its decisions—it can, of course, set certain basic conditions which will not then need to be fought over in every community. For instance, it can do what the NEA has urged: require every system to set aside at least 20 percent of its channels for public and educational use. (There are groups urging a considerably higher percentage; all groups use some percentage figure rather than an absolute number so that the public/educational portion will grow automatically when the systems grow.) It can require that the facilities have a two-way capability, that there be no discrimination in access and no censorship of public programs by the CATV operators, that liability for content rest with the program people and not with the operator, etc.

## Action in Washington

In this national struggle you can feel at least reasonably well represented. The Joint Council on Educational Telecommunications (of which NEA is one founder and ASCD is a member) has been active for several years and wields strong influence. More recently an *ad hoc* coalition of some 53 public and educational organizations and agencies (including NEA, JCET, and ASCD) has formed under the name of PubliCable. Led by NEA's Harold Wigren, it bids fair to generate real clout. Among other things it is, by White House request, working actively with President Nixon's newly formed special administrative committee on CATV.

This is not to say that as the occasion arises you should not work intensively with your Congressmen and Senators and make your influence felt by the FCC. (Should you take the lead in forming a local equivalent of PubliCable to give it added strength and to provide a public forum in your community?) In the main, it may well be that you can generate more influence closer home, where another sort of struggle may be developing.

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## NEAR HOME: THE MUNICIPAL SCENE

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It is estimated that there are some 15,000 centers where CATV systems will be feasible. Of these, some 2,600 are already covered by franchises. We have no way of knowing whether you live in one of the 2,600 where remedial action may be hard (though not necessarily impossible) to secure; or in one of the 12,400 where opportunity still lies before you. You may even be in one of the thousand or so areas where franchises are being negotiated right now.

As to most of the older franchises, the consensus is, the grantors tended to make some unfortunate errors. Having nothing in mind but the capturing of distant broadcast signals, they rarely even mentioned local educational or public uses. (A few of the CATV operators provided some of these services anyway, but this was just fortuitous.) Foreseeing no other developments they granted the franchises for overlong periods, with no provision for review and revision.

Even more recently the city fathers have tended to be under the spell of the dollar. They may bargain pretty hard—or they may not—for payments into the city treasury. Given the state of most municipal budgets, their eagerness to get money coming in is understandable enough. Still, it is unfortunate that they are rarely very visionary about reaching out for educational and public services. For if they were to bargain for free or low-cost services in lieu of cash, they could probably have considerable success. The root of the problem may be that many councils have erred by not opening the whole matter to public hearings. Thus, the public has remained uninformed and the councils have not had the benefit of creative ideas from all sectors.

However, the franchise is not the only thing to watch. Logically, there should first be an enabling ordinance, setting minimum standards; then the specific franchise can be considered. The “eternal vigilance” which is the price of liberty is necessary at both stages.

### The Basic Ordinance

One function of the basic ordinance is to set forth the ground rules which any franchise holder would have to work under and to set up a systematic procedure for applying for a franchise. It is probably advisable that the ordinance set minimum standards of performance, even though these can be spelled out in greater detail in the franchise itself. In other words, one function of the ordinance is to serve as a guide to potential applicants.

Even more fundamentally important may be the ground rules and procedures which the ordinance sets up within the community itself. With a sound ordinance on the books, for instance, it should no longer be possible for the city council to enter into a franchise contract without first providing full and open opportunities for public hearings in which all interested parties can be heard. It should no longer be possible even to consider a franchise which does not provide for nondiscriminatory access to public-service channels.

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No one can say what ought to be in every ordinance, but Dr. Harold Wigren has listed twelve “Major Issues in CATV at the Local Level”:

1. Has an allocation percentage of channels been made for public use free of charge, including provisions for educational, municipal, and general-public access? Have multiple channels been provided to the schools?

2. Is access to studios and equipment guaranteed to the schools and public at no charge?

3. Insofar as it relates to instructional radio and TV programs, is control of these programs vested by ordinance with local education authorities?

4. Is there a provision in your ordinance which will require the CATV operator to provide programs for specialized audiences? To the extent that it relates to your community is there a provision requiring a percentage of programs to be cable cast in appropriate local foreign languages?

5. Are there nondiscriminatory provisions in your ordinance relating to such matters as the employment of members of minorities and the nondiscriminatory right of access of minorities on a reasonable basis to use of your local cable systems?

6. Who in your community will control access to local public and/or educational channels? Should your community have its own local CATV access committee? If so, should they be elected or appointed? If appointed, by whom and for how long?

7. Assuming that all access and control are a part of your ordinance, is there a provision in your ordinance which will cause the allocation, access, and control provisions to survive and remain in full effect as a contractual obligation in the event any federal or state regulatory agency assumes control over all or a part of CATV and neglects to include these provisions?

8. Are you confident your municipal government has adequately researched the possibility of nonprofit corporation ownership and/or municipal ownership?

9. Is there a provision in your ordinance requiring two-way audio capability to be established in all new cable systems and within a reasonable time on already installed cable systems?

10. Is the public protected against escalating installation fees and monthly rates?

11. Is your CATV system required by ordinance to have a minimum capacity of 20 to 24 channels and is it required to stay abreast of the state of the art as regards both channel and systems capacity?

12. Is there a provision in your ordinance requiring that the franchise be granted for a limited time period not to exceed 20 years (and preferably 15 years)?



## Another Checklist

PubliCable's analysis lists the "Basic elements of an ordinance which affect education and the public interest":

1. Length of contract (not to exceed 20 years)
2. System capacity (number of channels)—no fewer than 20
3. Allocation of channels for:
  - public schools
  - private schools
  - universities and colleges
  - educational TV stations
  - government (city) services
  - public access—individuals and groups
  - local broadcast stations, exclusive of ETV
  - distant signals
  - local origination (CATV company channels, information channels, sports, entertainment, news and weather)
  - expansion channels
  - nonstandard channels
4. Two-way capability—audio now, video later
5. Non-exclusivity of franchises
6. Connections for schools and public buildings
7. Program origination facilities for schools, government, and public
8. Rates
  - installation
  - monthly rates
9. Gross revenues to city government
10. FM radio provisions
11. Performance bond
12. Converters for nonstandard channels
13. Penalties for nonperformance
14. Nondiscriminatory construction
15. Nondiscriminatory access to public channels

## The Franchise

By now it must be perfectly clear that the franchise is the crucial thing. Setting out the actual terms of operation, it can create either opportunities or hindrances. The foregoing discussions of the ordinance have inevitably mentioned most of the concerns that need to be dealt with in a general way. When franchise time comes, they all have to be dealt with in hard specifics.

One educational group which has recently been deeply involved is the Metropolitan Nashville Education Association. Its statement of position of May 1971 makes a good example of some kinds of action that are essential.

The Metropolitan Nashville Education Association believes that the use of Community Antenna Television (CATV) channels for education is essential to preserve the public interest.

Accordingly the MNEA urges the Mayor and the Metropolitan Council to ensure that in any ordinance or franchise issued the following minimum considerations be included:

- a. that not less than 25 percent of all CATV channels be allocated at no charge for education;
- b. that unlimited and unrestricted access at no charge to these channels and to studios and equipment shall be given to the appropriate local education authorities;

- c. that the control of instructional and educational programs over CATV systems shall rest with the appropriate local education authorities;
- d. that each ordinance or franchise issued shall require the Grantee to install immediately between and to each CATV residence or location two-way capability, i.e., two-way audio and one-way video in each CATV system;
- e. that the Grantee shall at no charge install and maintain a two-way audio and two-way video capability between and to each school, hospital, police station, fire station and such other municipal building or location as the Mayor and the Metropolitan Council may from time to time select.
- f. that applications for a CATV ordinance or franchise from nonprofit corporations be accepted and evaluated on an equal, non-discriminatory basis;
- g. that no ordinance or franchise shall be issued for a period exceeding fifteen years, provided, however, that at any time after two years from the effective date of the ordinance or franchise the local authority issuing the ordinance or franchise, and for as frequently as it may from time to time decide, shall conduct a public hearing to review, and if necessary renegotiate, the terms and conditions of the ordinance or franchise and to assess the record of the Grantee in adhering to the terms and conditions of the ordinance or franchise; and
- h. that no ordinance or franchise shall be issued on an exclusive basis.

## WHAT CAN WE DO?

In your community, the heart of the matter—this must be clear by now—lies in the basic ordinance and the franchise contract. What you can do depends on the local situation.

### If You Already Have a Franchise in Force

You may be stuck with some pretty bad limitations. Still, there may be some room for maneuver. Just possibly there are facilities that are unused, or unused part of the time. Some exploration of possibilities with the CATV operator may pay off. He may even be eager, given present conditions, to start or increase locally originated programming, and your school might be a good resource for him. Some cooperative arrangements on production facilities, etc., may be just what he needs.

One promising possibility in some cases is that it is possible, at no great cost, to negotiate for "nonstandard" channels. These channels have a certain advantage for some purposes because, requiring a converter on the receiving set, they are essentially private channels for specialized audiences, for feedback, or for data transmission. They can be added in the "subchannel" area below Channel 2, in the "mid-channel" belt between Channels 6 and 7, and in the "super-channel" band above Channel 13. They are referred to by letters; there is some argument as to whether they are of the same high quality as the standard channels, but most engineers now agree that they are. The possibility may be very well worth exploring.

Finally, it may be possible to secure a review and revision of the franchise. At the very least it may be possible to build public intelligence and acceptance and pave the way for educational opportunities when the next break comes. With the great technical improvements that are becoming available, that may be sooner than you think.

## If You Have Neither Ordinance Nor Franchise

The field is wide open. If your community is one where CATV would be economically feasible, start stirring up public opinion. Help people see the rich possibilities. When things begin to happen, insist on full and open public hearings to get all the options into plain view. Without necessarily expecting hostility or chicanery, play the watchdog.

And, back home in your school system, start at least enough preliminary planning so that you can furnish your public a sensible, realistic image of what the possibilities are. The best weapon of franchise operators or bidders who don't want to provide much in the way of educational facilities is to argue that schools seldom do much anyway, even if the facilities are open to them. *And they are right.* Our record, as a whole, is pretty bad. You've got that argument to offset by showing what you really could and would do. And now, if the FCC proposals are adopted, you will have a five-year period in which to demonstrate that you can and will use enriched facilities as they become available.

## If a Franchise Is Being Negotiated Right Now

Crisis! Move in fast. Insist on public hearings. Stop the awarding of any franchise until hearings have been held. Play for time to give public opinion a chance to consolidate behind you. Develop realistic program plans as fast as you can.

It's all a pretty normal political operation. But, of course, there are a few special conditions. A group in Suffolk County, New York, known as SCOPE, which has had extended and successful experience, offers the following "Do's and Don't's":

### DO's

1. Make direct personal contact with the Town Supervisor, Village Mayor, and Town or Village Attorney. Discuss the matter individually with as many Town Board members as possible.
2. Make direct contact with the CATV operator who is or may be a franchise applicant. It is most desirable that you enter a CATV public hearing in substantial accord with the CATV franchise applicant.
3. Make sure that your school community presents a "united front" in any public hearings.
4. Solicit the support of influential individuals both in and outside the school community.
5. Ensure that your CATV franchise requests receive good local press coverage.
6. After your CATV requests have been granted, recognize the contribution of the Town Supervisor or Village Mayor by publicly awarding a plaque or certificate of appreciation.
7. Be as knowledgeable as possible about the "state of the art" in CATV and generously share your information with Town and Village officials.
8. Speak as frequently as possible about CATV before local civic groups such as the Lions Club, Rotary, etc.

### DON'T's

1. Don't ask for a percentage of the franchise fee unless you are very certain that you can get it and that it is legal.
2. Don't make unreasonable demands on the CATV franchise applicant. His costs tend to be front ended—put a time delay into any request that will be costly to him.
3. Don't assume that all town officials will automatically espouse your cause—an intensive "selling job" is imperative.
4. Don't allow the CATV franchise applicant to view you as a parasite. This is a "quid pro quo" arrangement. Most cable operators need you as much as you need them; however, the cable operator must be made aware of the effort and expenses you will incur to implement your part of the program.
5. Don't be inflexible or arbitrary in your franchise requests. Politics is the "art of compromise." There is likely to be much negotiation before you are finished.
6. "He who acts as his own attorney has a fool for counsel." Franchises and ordinances are intricate legal matters—just one misplaced word can defeat the entire intent of a particular proviso. Do get good legal guidance.
7. Brevity is sometimes said to be the soul of wit, but at other times it may well be the sign of a nitwit. Do spell out the details of your provisos in good legal and engineering language. If your good rapport with the cable operator should ever deteriorate, the language of the franchise may be all that you have left to rely on.
8. Don't be easily discouraged. You are predestined for at least a few setbacks. Persistence is the "name of the game."

## To Organize More "Clout"

This paper comes from ASCD and is addressed most directly to ASCDers, but it is addressed just as genuinely to all educators as well as to members of the public. ASCD is a relatively small organization; in any given community its members may be few, and they may not be at the top of the school's influence structure. It needs alliances!

Why should ASCD take the lead? Well, of course, it doesn't matter whether we do, or whether we join someone else. But what we are talking about here *is* an instructional matter. It *is* ASCD business. But if it is *instructional* business, then it is also instantly the business of classroom teachers, administrators, and the public.

Why not take the initiative to form a working group with the administrators, the classroom teachers, and interested members of the public? If there is a college or university, why not recruit help there? Too many instructional possibilities have gone down the drain because nobody stepped in and took action. At this critical juncture, even a little effort may make an enormous difference as the years roll on. Let's go!



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## FOR MORE INFORMATION

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This small paper was designed for just one purpose: to help alert the profession. We've deliberately kept it nontechnical. If you get into the thick of this matter you will need more information.

To help you toward a broad-based intelligence, with some technical overtones, by far the best and most readable thing we've seen is:

*Schools and Cable Television*, developed by the Division of Educational Technology, the National Education Association. 1971. 66 pages. \$2.25, with NEA discounts in quantity. Order from NEA Publications-Sales Section, 1201 Sixteenth St., N.W., Washington, D.C. 20036. Stock No. 381-11968. Along with general discussion, the booklet includes some samples of school contracts.

### Other Relevant Materials

1. Letter of Intent from FCC Chairman Dean Burch, outlining Proposed Rules and Regulations concerning CATV, August 5, 1971. (FCC 71-787 63303). May be obtained from Sol Schildhouse, Chief, Cable Television Bureau, Federal Communications Commission, 1919 M St., N.W., Room 430, Washington, D.C. 20554.

2. JCET Newsletter on CATV Policy. (Report on Proposed FCC Rules and Regulations.) *JCET News*, Vol. III, No. 8, August 1971. Published by the Joint Council on Educational Telecommunications, 1126 Sixteenth St., N.W., Washington, D.C. 20036.

3. Model Code of Regulations for Cable Television, prepared under direction of Jerrold N. Oppenheim, Illinois Division of ACLU, 6 South Clark St., Chicago, Illinois 60603. Filed with Illinois Commerce Commission. Available for \$1.50 per copy from the Illinois Division of ACLU at above address.

(The National ACLU is preparing a Model Code which will be available in a couple of months or so.)

4. "Cable TV Comes to Clout City," *Chicago Journalism Review*, August 1971. Available for 60 cents per copy from Illinois Division of ACLU, 6 South Clark St., Chicago, Illinois 60603.

5. "CATV: Visual Library Service," by Brigitte L. Kenney and Frank W. Norwood. *American Libraries*, Vol. 2, No. 7, July-August 1971. American Library Association, 50 E. Huron St., Chicago, Illinois 60611.

6. "Cable-TV Firms' Top 10: A Third of U.S. Market Staked Out," *Christian Science Monitor*, August 7, 1971. Christian Science Publishing Society, 1 Norway St., Boston, Mass. 02115.

7. *Free TV Bulletin*, available from Phil Dean Associates, Inc., 271 North Avenue, New Rochelle, N.Y. 10801. (This represents a view from the broadcasting companies themselves.)

8. *Communications Technology for Urban Improvement*. An Interim Report to the U.S. Department of Housing and Urban Development, Section B: Subpanel Reports. August 1970. Prepared by the Committee on Telecommunications of the National Academy for Engineering, Washington, D.C. Available from the National Technical Information Service, U.S. Dept. of Commerce, Springfield, Virginia 22151. Publication No. PB200-317. Microfiche 95 cents; printed copy \$3.00.

9. *Interactive Television Software for Cable Television Application*. Kenneth J. Stetten. June 1971. The Mitre Corporation, Attention Document Control, Westgate Research Park, McLean, Virginia 22101. Publication No. MTP-354.

10. "Position Paper on Community Antenna Television" prepared by the Division of Telecommunications, Association for Educational Communications and Technology, 1201 Sixteenth St., N.W., Washington, D.C. 20036. March 1, 1971. Available upon request from AECT.

11. Johnson, Leland L. *The Future of Cable Television: Some Problems of Federal Regulation*. The Rand Corporation, a study prepared for the Ford Foundation. Memorandum RM-6199-FF, January 1970. 87 pages.

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